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 SUMMONS

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 ALIAS - SUMMONS

2016L0040(2/28/11) CCG N001

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
 COUNTY DEPARTMENT, LAW

DIVISION Motor Vehicle

WILLIAM HONEYCUTT

(Name all parties)

v.

UNITED PARCEL SERVICE, INC.

No.

United Parcel Service, Inc.

c/o Illinois Corporation Service Company

801 Adlai Stevenson Dr., Springfield, IL 62703

☒ SUMMONS ☐ ALIAS SUMMONS

To each Defendant:

YOU ARE SUMMONED and required to file an answer to the complaint in this case, a copy of which is hereto attached, or otherwise file your appearance, and pay the required fee, in the Office of the Clerk of this Court at the following location:

- ☒ Richard J. Daley Center, 50 W. Washington, Room 801, Chicago, Illinois 60602
- ☐ District 2 - Skokie
 5600 Old Orchard Rd.
 Skokie, IL 60077
- ☐ District 3 - Rolling Meadows
 2121 Euclid
 Rolling Meadows, IL 60008
- ☐ District 4 - Maywood
 1500 Maybrook Ave.
 Maywood, IL 60153
- ☐ District 5 - Bridgeview
 10220 S. 76th Ave.
 Bridgeview, IL 60455
- ☐ District 6 - Markham
 16501 S. Kedzie Pkwy.
 Markham, IL 60428
- ☐ Child Support
 28 North Clark St., Room 200
 Chicago, Illinois 60602

You must file within 30 days after service of this Summons, not counting the day of service.

IF YOU FAIL TO DO SO, A JUDGMENT BY DEFAULT MAY BE ENTERED AGAINST YOU FOR THE RELIEF REQUESTED IN THE COMPLAINT.

To the officer:

This Summons must be returned by the officer or other person to whom it was given for service, with endorsement of service and fees, if any, immediately after service. If service cannot be made, this Summons shall be returned so endorsed. This Summons may not be served later than 30 days after its date.

Atty. No.: 59509

Name: McCallister Law Group, LLC

Atty. for: Plaintiff

Address: 120 N. LaSalle St., Suite 2800

City/State/Zip: Chicago, Illinois 60602

Telephone: (312) 345-0611 - mem@mccallisterlawgroup.com

DOROTHY BROWN
 CLERK OF THE CIRCUIT COURT



Date of service:

(To be filled by officer on copy left with defendant or other person)

of Court

Service by Facsimile Transmission will be accepted at:

(Area Code) (Facsimile Telephone Number)

DOROTHY BROWN, CLERK OF THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

EXHIBIT

A

tabbles

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, LAW DIVISION

WILLIAM E. HONEYCUTT,

Plaintiff,

v.

UNITED PARCEL SERVICE, INC.,

Defendant,

) 2016L004069
) CALENDAR/ROOM D
) TIME 00:00
) PI Motor Vehicle

) Case No:

) COMPLAINT
) Jury Trial Demanded
)

COMPLAINT AT LAW

Plaintiff, WILLIAM E. HONEYCUTT, by and through his attorneys, McALLISTER

LAW GROUP, LLC, and complaining of the defendant, UNITED PARCEL SERVICE, INC.

(hereinafter "UPS") states and alleges as follows:

PARTIES, JURISDICTION AND VENUE

1. The plaintiff, William E. Honeycutt, at all times relevant hereto was a resident of Galesburg, Illinois.

2. On April 24, 2014, and at all times relevant hereto, defendant UPS is and was a Delaware Corporation registered and licensed to do business in the State of Illinois, and was doing business in the State of Illinois, including Cook County. Defendant UPS maintains its principal place of business in the State of Georgia. At all times relevant, UPS was in the business of providing extensive transportation-shipping services in cities and states across the United States of America. UPS transacts regular and systematic business in the State of Illinois, and it maintains a registered agent and registered office for service of process, Illinois Corporation Service Co., 801 Adlai Stevenson Drive, Springfield, Illinois 62703. Further,

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COURT
LAW DIVISION
16 APR 28 AM 11:40

defendant UPS' contacts with Illinois as a result of its business are substantial and continuous, such that the exercise of personal jurisdiction over defendant UPS under 735 ILCS 5/2-209 is fair, just and appropriate.

FACTUAL ALLEGATIONS

3. On April 24, 2014, and at all times relevant hereto, U.S. Highway 12 was a public highway traveling in a generally East/West direction at or near its intersection with Michigan Avenue in Orofino, Idaho.

4. On April 24, 2014, and at all times relevant hereto, Michigan Avenue was a public roadway traveling in a generally North/South direction at or near where it meets U.S. Highway 12 in Orofino, Idaho. Michigan Avenue dead ends into U.S. Highway 12, creating a "T" intersection.

5. At the time and place aforementioned, Chad Reitmeier was driving a box truck owned, leased and/or operated by defendant UPS in a westerly direction on U.S. Highway 12. The box truck operated by Chad Reitmeier was a 2009 WRKH UPS Delivery Truck with license plate FL3535 and VIN No. 5B4JPD28893438437.

6. At the time and place aforementioned, the plaintiff was stopped in the left-hand turn lane for U.S. Highway 12, facing in an easterly direction, waiting to turn left onto northbound Michigan Ave. The plaintiff was operating a 2001 KW Boom Truck with the license plate number 26829 and VIN No. 1NKDL69X41J882893.

7. At the "T" intersection, U.S. Highway 12 is divided into approximately four (4) lanes. Lanes of traffic are identified for turning vehicles and through traffic. At that location, the speed limit for traffic traveling upon U.S. Highway 12 was 50 m.p.h.

8. At all times relevant, Chad Reitmeier was the agent, servant, and employee of defendant UPS, which was engaged in the business of providing transportation-shipping services and hauling goods by truck in Idaho, Illinois and other states throughout the United States. As a result, UPS is responsible and liable to the plaintiff for the acts and omissions of Chad Reitmeier while he was acting within the scope of his employment or agency under the doctrine of *respondeat superior*.

9. On April 24, 2014, at approximately 5:45 p.m., Chad Reitmeier turned the steering wheel of his UPS Delivery Truck in such a manner to cause it to collide with the front end of the Boom Truck operated by the plaintiff.

COUNT I

(Respondeat Superior – Vicarious Liability - United Parcel Service, Inc.)

10. Defendant UPS, by and through its agent, servant and employee Chad Reitmeier, had a legal duty to the plaintiff to exercise reasonable care in the operation of its truck and to comply with all applicable motor vehicle laws and regulations applicable to its activities, as well as applicable industry practices and standards.

11. Defendant UPS, by and through its agent, servant and employee Chad Reitmeier, breached its duty of care to the plaintiff and was thereby negligent in one or more of the following respects:

- a. Operated its delivery truck at a speed that was too fast for the traffic conditions present on U.S. Highway 12;
- b. Operated its delivery truck in a manner that caused it to leave its lane of travel;
- c. Failed to keep a proper look out for other drivers on the public roadway;

- d. Failed to operate its delivery truck in a manner to avoid an impact with the plaintiff's vehicle;
- e. Failed to reduce the speed of its delivery truck to an appropriate speed in advance of entering the intersection with Michigan Avenue;
- f. Operated its delivery truck in a careless and reckless manner; and
- g. Engaged in other acts or omissions not presently known to Plaintiff that were careless, negligent, and in violation of UPS' duties of reasonable care and other provisions of the Federal Motor Carrier Safety Regulations which may be determined upon further investigation and discovery.

12. As a direct and proximate result of one or more of UPS' foregoing negligent acts or omissions, by and through its agent, servant and employee Chad Reitmeier, plaintiff suffered permanent and lasting injuries of a personal and pecuniary nature, including but not limited to past and future pain, suffering, and loss of enjoyment of life; he has suffered a loss of earnings; he has suffered permanent and lasting disability and has become obligated and paid for substantial medical expenses in the past and will incur medical expenses in the future.

WHEREFORE, plaintiff WILLIAM E. HONEYCUTT prays for this Court to enter judgment in his favor and against the defendant, UNITED PARCEL SERVICE, INC., in a sum in excess of Fifty Thousand Dollars (\$50,000.00), plus the costs of this suit, interest on the judgment, and for any and all further relief that the court may deem just and appropriate.

COUNT II

(Negligence -- United Parcel Service, Inc.)

13. Plaintiff hereby incorporates by reference paragraphs 1 through 12 from Count I as paragraphs 1 through 12 of this Count II as if fully set forth herein.

14. Defendant UPS had a legal duty to the plaintiff to exercise reasonable care and to comply with all motor vehicle laws and regulations applicable to their activities, as well as applicable industry practices and standards.

15. Defendant UPS had a legal duty to the plaintiff to exercise reasonable care and/or the highest degree of care in hiring, retaining, entrusting, supervising, educating, training and instructing its drivers, including Chad Reitmeier, on the reasonable, safe operation of the vehicles in its delivery fleet.

16. Defendant UPS breached its duty to the plaintiff and was thereby negligent in one or more of the following respects:

- a. Failed to adequately educate, train, and instruct its driver Chad Reitmeier on the reasonable and safe operation of the UPS delivery truck identified in paragraph 7;
- b. Failed to adequately educate, train and instruct its driver Chad Reitmeier on the method and manner for taking reasonably safe evasive action; and
- c. By engaging in other acts or omissions that are not presently known to plaintiffs which were careless, negligent, and in violation of defendant's duties of reasonable care and other provisions of the Federal Motor Carrier Safety Regulations which may be determined upon further investigation and discovery.

17. As a direct and proximate result of one or more of UPS' foregoing negligent acts or omissions, plaintiff suffered permanent and lasting injuries of a personal and pecuniary nature, including but not limited to past and future pain, suffering, and loss of enjoyment of life; he has suffered a loss of earnings; he has suffered permanent and lasting disability and has become obligated and paid for substantial medical expenses in the past and will incur medical expenses in the future.

WHEREFORE, plaintiff WILLIAM E. HONEYCUTT prays for this Court to enter judgment in his favor and against the defendant, UNITED PARCEL SERVICE, INC., in a sum in excess of Fifty Thousand Dollars (\$50,000.00), plus the costs of this suit, interest on the judgment, and for any and all further relief that the court may deem just and appropriate.

Dated: April 22, 2016

Respectfully submitted,

McCALLISTER LAW GROUP, LLC



Attorney for Plaintiff

Marc E. McCallister
McCALLISTER LAW GROUP, LLC
120 North LaSalle Street
Suite 2800
Chicago, Illinois 60602
312-345-0611
Firm No. 59509



CORPORATION SERVICE COMPANY

Notice of Service of Process

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Transmittal Number: 15099822
Date Processed: 05/02/2016

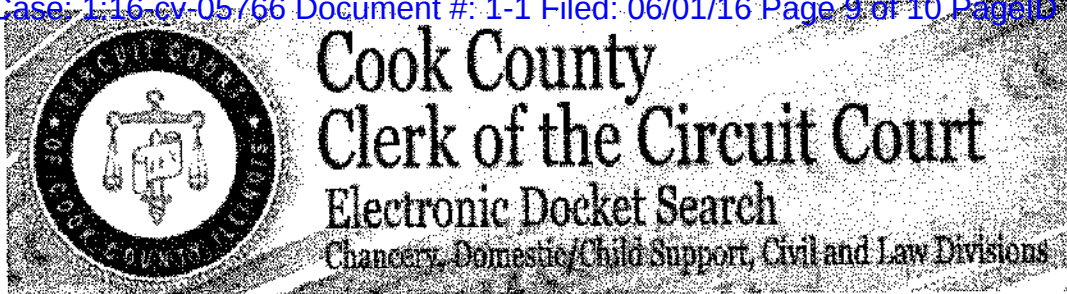
Primary Contact: SOP UPS - United Parcel
SOP - PowerBrief - Wilmington
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Wilmington, DE 19808

Copy of transmittal only provided to: Tiffany Taylor
Ms. Sonja Jackson
CSC Test
Sarah Moore
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Entity:	United Parcel Service, Inc. Entity ID Number 2551129
Entity Served:	United Parcel Service, Inc.
Title of Action:	William E. Honeycutt vs. United Parcel Service, Inc.
Document(s) Type:	Summons/Complaint
Nature of Action:	Personal Injury
Court/Agency:	Cook County Circuit Court, Illinois
Case/Reference No:	2016L004069
Jurisdiction Served:	Illinois
Date Served on CSC:	05/02/2016
Answer or Appearance Due:	30 Days
Originally Served On:	CSC
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Case Information Summary for Case Number
2016-L-004069

Filing Date: 4/22/2016
Division: Law Division
Ad Damnum: \$50000.00

Case Type: PERSONAL INJURY(MOTOR VEHICLE)
District: First Municipal
Calendar: D

Party Information

Plaintiff(s)

HONEYCUTT WILLIAM E

Attorney(s)

MCCALLISTER LAW GROUP
LLC

120 N LASALLE2800

CHICAGO IL, 60602

(312) 345-0611

**Date of
Service**

Defendant(s)

UNITED PARCEL SERVICE
INC

Attorney(s)

Case Activity

Activity Date: 4/22/2016

Participant: HONEYCUTT WILLIAM E

PERSONAL INJURY (MOTOR VEHICLE) COMPLAINT FILED (JURY DEMAND)

Court Fee: 589.00

Attorney: MCCALLISTER LAW GROUP
LLC

Ad Damnum Amount: 50000.00

Activity Date: 4/27/2016

Participant: HONEYCUTT WILLIAM

ELECTRONIC NOTICE SENT

Activity Date: 4/27/2016

Participant: HONEYCUTT WILLIAM E

CASE MANAGEMENT DATE GENERATED

Date: 6/21/2016

Court Time: 1000

Activity Date: 5/9/2016

Participant: UNITED PARCEL SERVICE IN

SUMMONS SERVED - CORPORATION/COMPANY/BUSINESS

Date: 5/2/2016

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